

REMARKS/ARGUMENTS

In response to the Office Action of July 2, 2004, Applicant requests re-examination and reconsideration of this application for patent pursuant to 35 U.S.C. 132.

Dependent claim 5 has been added to include the structural details of the movement of the waterproof enclosure of the nozzles along the surface of the shroud covering the user's body.

Rejection under 35 USC 103(a)

Claims 1-4 stand rejected as obvious in view of Licht and Risch et al. While Risch et al has a broad disclosure of a temperature control with a heat exchanger, it is not specific and somewhat confusing because of incorrect reference numerals in the drawing. It appears that Risch et al places the heat exchanger in the main line from the tank to the water bed therefore, the fluid temperature in tank is not the temperature of the fluid striking the membrane.

The instant device maintains a predetermined temperature in the holding tank, with a large volume, through a secondary circulation so that the variations in temperature are less dramatic and the heat exchanger may be larger and more efficient without effecting line flow.


The claims have been amended to recite the structure which

results in these advantages. The references do not teach or show such an organization.

SUMMARY

In light of the foregoing remarks and amendment to the claims, it is respectfully submitted that the Examiner will now find the claims of the application allowable. Favorable reconsideration of the application is courteously requested.

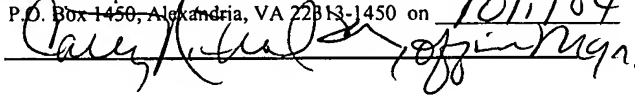
Respectfully submitted,


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CERTIFICATE UNDER 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450 on 10/1/04


Gary K. Hulse, Jr.